

MONTANA LEGISLATIVE HISTORY

Chapter 110 1975

Bill H 304 S _____

Original bill & history /c

H. Committee on Highways & Transp S. Committee on Highways & Transp

Hearing Date(s) _____ c

Hearing Date(s) _____ c

2/6 ✓ c

3/11 ✓ c

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Date Out

2/6 ✓ c

3/11 ✓ c

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Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

1 *House* BILL NO. *304*
2 INTRODUCED BY *W. Barth*
3 *W. Barth*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 32-2188, R.C.M. 1947, TO REQUIRE BICYCLISTS TO RIDE IN
6 SINGLE FILE UPON ROADWAYS NOT SET ASIDE EXCLUSIVELY FOR
7 BICYCLE USE AND EXCEPT WHEN PASSING ANOTHER BICYCLIST."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 32-2188, R.C.M. 1947, is amended to
11 read as follows:

12 "32-2188. Riding on roadways and bicycle paths. (a)
13 Every person operating a bicycle upon a roadway shall ride
14 as near to the right side of the roadway as practicable,
15 exercising due care when passing a standing vehicle or one
16 proceeding in the same direction.

17 (b) Persons riding bicycles upon a roadway shall ~~not~~
18 ~~ride more than two (2) abreast in single file~~ except on
19 paths or parts of roadways set aside for the exclusive use
20 of bicycles. A person riding a bicycle may overtake and
21 pass another bicycle when safe to do so and when other
22 traffic is not obstructed by so doing.

23 (c) Whenever a usable path for bicycles has been
24 provided adjacent to a roadway, bicycle riders shall use
25 such path and shall not use the roadway."

-End-

INTRODUCED BILL

HB 304

THURSDAY
February 6, 1975
Proceedings of the
HIGHWAYS AND TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Baeth at 8 a.m. The secretary called the roll. All members were present with the exception of Representative Fleming, excused.

Bills scheduled for hearing were House Bills 304, 305, 430 and House Joint Resolution #30.

HOUSE BILL #304 Representative Finley spoke as the chief sponsor. He mentioned how bicyclists can create a hazard when strung across the road or highway. He stated they would be required to travel in single file unless on an area built especially for bike traffic.

No other proponents, no opponents.

HOUSE BILL #305 Representative Finley spoke on this bill as the chief sponsor. He stated some of the safety regulations that would be required by the bill, lights, reflectors, flags, etc.. The question was raised by Representative Kendall about the fact that the bill did not mention whether a penalty was involved. Bob Person explained why the bill was so written and explained there was no need for this to be in the bill because it was already covered by existing law. A violation would constitute a misdemeanor, punishable by a fine of up to, but not exceeding \$500.00. Some felt the penalty was too severe. The bill was meant to serve as a guidance mechanism and not as a type of penalty - only a safety standpoint.

No other proponents, no opponents, hearing closed.

HOUSE BILL #430 Representative Kanduch presented testimony as the chief sponsor. He mentioned the increase in traffic of motor-driven bicycles and how the bill intends to cover such. ~~He stated the need for~~ *He stated the need for* increased attention to safety and felt it should be done now before there is a rash of accidents and loss of life.

T. L. Polutrik of the Montana Highway Patrol appeared as a proponent. He also mentioned the need to treat the motor-driven bike as a motor vehicle. He said they should be covered the same as a motorcycle. They should be licensed the same as a motorcycle. It was mentioned that the age would be 15 with driver training and 16 without driver training. He also mentioned that the information he has received from other states and the number of accidents recorded, has been a cause for concern.

No further proponents, no opponents, hearing closed.

HOUSE JOINT RESOLUTION #30 Representative Harper spoke as the chief sponsor. He exhibited a plan he had drawn, a map of the area as it now is and as he felt it could be changed to present less of a traffic hazard. He

...law it is necessary for traffic wanting to turn in various directions
at cross two lanes of traffic in order to do so, and the resulting hazardous
condition.

Mr. Leck of the MSD asked the committee to consider an amendment they would
present. They realize the traffic problems involved and the need for something
to be done. He introduced Homer Wheeler of the Engineering department of MSD.

Homer Wheeler stated it would be wise to have federal participation. They would
look for several types of solutions and possible alternatives. Local participation
would also have to be considered. He mentioned that a full butterfly intersection
would possibly entail purchase of right-of-way, with a need for a wider roadway.
He mentioned several possible alternatives and stated they were only ideas and
that there could be several possible ways to deal with a traffic hazard. One of
the possible problems might be the fact that the roads do not intersect exactly.
It was also mentioned that the construction might entail over 2 million dollars.
He mentioned the need for a study to determine the turning ratio and design. An
alternate diamond plan was also mentioned. The actual cost was merely speculation
since they had not worked up estimates. Any design would have to be approved
by the federal Department of Transportation. The cost would also be determined by
the priority - urban-federal or primary-federal, etc.. This could result in a
70 matching ratio. A question and answer period followed this testimony.

Further proponents, no opponents, hearing closed.

COMMITTEE SESSION:

MR. JOINT RESOLUTION #30

Committee decision was to postpone
until February 13, to gather more information.

MR. BILLS #160 and #161

Report from sub-committee. A table
of statistics was presented to each member. See attached exhibit. It was shown
that the construction of bikeways would not take any highway construction money.
(- 70 matching funds)

Representative Finley moved DO PASS, motion seconded and carried unanimously, on
MR. Bill #160.

Representative Finley moved DO PASS, motion seconded and carried unanimously, on
MR. Bill #161.

MR. BILL #304

Representative R. Baeth moved DO PASS,
was seconded by Representative Mular, motion carried. Members voting "no" were
Representatives Smith, Kropp and Kendall, all others voted yes.

MR. BILL #305

Discussion about the cost - whether
might create a hardship for the children involved. It was also mentioned how
flags would be a definite contribution to better visibility, thus being a

**URBAN BICYCLE ROUTE SYSTEM
COST BREAKDOWN FOR PLANNING PURPOSES**

Palo Alto, Calif.

Lane Line System

Lane Line Removal

1. 4 lane road, 3 miles x \$2,000 =	\$ 6,000
2. 2 lane road, <u>25.5 miles</u> x \$900 =	<u>22,950</u>
TOTALS 28.5 miles	\$28,950

Actual Expenditure in 1972 \$28,861

Lane Line Painting

1. 4 lane road, 3 miles x \$1,850 =	\$ 5,550
2. 2 lane road, <u>25.5 miles</u> x \$1,050 =	<u>26,775</u>
TOTALS 28.5 miles	\$31,325

Actual Expenditure in 1972 = \$31,405

Pavement Legends - 28.5 miles x \$100 = \$ 2,850

Actual Expenditure in 1972 = \$ 3,185

Signing - 28.5 miles x \$1,000 = \$28,500

Actual Expenditure in 1972 = \$28,500

Subtotal: \$ 91,951

Path System

Curb Ramping - 13.5 miles x \$1,600 = \$21,600

Actual Expenditure in 1972 = \$21,565

Signing - 13.5 miles x \$750 = \$10,125

Actual Expenditure in 1972 = \$10,994

Asphalt Path - 1,100 sq. ft. x 40¢/sq. ft. = \$ 4,471

Actual Expenditure in 1972 = \$ 4,471

Subtotal: \$ 37,030

1/9/73

Total Expenditure in 1972: \$128,981

BOOM IN BIKEWAYS

23 States Apply for Federal Bikeway Funds

Box Score of State Highway Funding

FISCAL YEAR 1975

STATES	TOTAL
Alabama	
Alaska	
Arizona	
Arkansas	
California	\$2,000,000
Colorado	
Connecticut	2,000,000
Delaware	110,007
District of Columbia	410,000
Florida	2,000,000
Georgia	878,403
Hawaii	76,000
Idaho	212,600
Illinois	
Indiana	
Iowa	676,000
Kansas	
Kentucky	
Louisiana	
Maine	
Maryland	2,000,000
Massachusetts	1,407,030
Michigan	1,070,800
Minnesota	1,784,028
Mississippi	

STATES	TOTAL
Missouri	
Montana	20,000
Nebraska	
Nevada	
New Hampshire	
New Jersey	7,770,000
New Mexico	
New York	2,000,000
North Carolina	
North Dakota	30,000
Ohio	1,773,1000
Oklahoma	
Oregon	814,210
Pennsylvania	2,000,000
Puerto Rico	
Rhode Island	600,000
South Carolina	
South Dakota	100,000
Tennessee	
Texas	
Utah	160,000
Vermont	
Virginia	
Washington	60,000
West Virginia	
Wisconsin	
Wyoming	
TOTAL	\$24,100,275

The Federal Highway Administration of the U.S. Department of Transportation has released the preliminary states applying for use of federal funds for bikeway and road fiscal 1975. The highway department has applied for use funds totaling \$24,100,275.

Seven states opted to allowable maximum of \$2 million are California, Connecticut, Maryland, New Jersey, New York, Pennsylvania, and Rhode Island. Michigan, Ohio and Illinois have indicated plans to spend a portion of their highway funds on bikeway projects.

It must be emphasized that these are preliminary figures. Money has been announced that the DOT has sent a memo to those states that they are to use some but not all of the funds, asking them to take advantage of the Federal bikeway provisions.

(Continued on Page 2)

CPSC Bike Safety Standard Effective January,

First there was the voluntary Bicycle Manufacturer Association's BMA/B and now cyclists in America will have mandatory, Federal bicycle safety regulations promulgated by the Consumer Product Safety Commission.

As readers of Boom in Bikeways know, Federal bicycle safety regulations have been in the works for several years. Before this, only the bicycles of the American industry had been protected by a standard.

The Federal specifications will go into effect on January 1, 1975. Bikes produced thereafter will have to meet the standard and will have to have hang tags specifying their compliance.

The CPSC has announced that its standard, like BMA/B, covers everything from braking performance to reflectors. The bicycle frame, steering systems and wheels are included. The specification calls for protected edges on metal fenders and coverings for

stem clamps, and adequate instructions for assembly and maintenance.

Perhaps the most public comment of the Federal specifications will be the optional means of signaling. It will call for either a spoke attached reflectors or a reflector on the rear section. Otherwise the reflector section is very similar to the one for BMA/B system.

The new standard called

FEDERAL-AID HIGHWAY ACT OF 1973

(23 U.S.C. § 217, P.L. 93-87)

BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS

80 Stat. 403,
5 USC 1601.

Sec. 124. (a) Chapter 2 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 217. Bicycle transportation and pedestrian walkways

"(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation and the development and improvement of pedestrian walkways on or in conjunction with highway rights-of-way, the States may, on Federal-aid highway projects, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles, and pedestrian walkways in conjunction or connection with Federal-aid highways. Funds apportioned in accordance with paragraphs (1), (2), (3), and (4) of section 104(b) of this title shall be available for bicycle projects and pedestrian walkways authorized under this section and such projects shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

78 Stat. 307,
49 USC 1601,
note,
49 USC 1602.

"(b) For all purposes of this title, a bicycle or pedestrian walkway project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such bicycle project or pedestrian walkway shall be that provided in section 120 of this title.

84 Stat. 1729.

"(c) Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle

and pedestrian routes in conjunction with such trails, roads, highways, and parkways.

"(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes and, when snow conditions and State or local regulations permit, snowmobiles.

"(e) Not more than \$10,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than \$2,000,000 for such projects in any fiscal year."

(b) The analysis of chapter 2, title 23, United States Code, is amended by inserting at the end thereof the following:

"217. Bicycle transportation and pedestrian walkways."

Source: Denver Bikeway Plan
Aug. 1973

BIKEWAY CONSTRUCTION COSTS

The cost estimates for construction of bikeways (all types) includes all materials and labor. The cost for signs includes setting of a new pole; however, whenever possible, it is recommended that bikeway signs be placed on existing sign posts. All costs are 1971 figures and should, therefore, be escalated approximately 10-12% a year.

Sidewalk replacement and repair costs are difficult to determine. Replacement of a damaged section costs approximately \$5.00 per linear foot if the total length replaced is 1,000 feet or more. The addition of 3 feet of concrete to the standard 5 foot sidewalk width would cost \$2.70 per linear foot if 1,000 feet or more is constructed. Thus, in any one project, the length of sidewalk to be repaired, replaced, or widened will affect unit costs shown below used for estimating purposes.

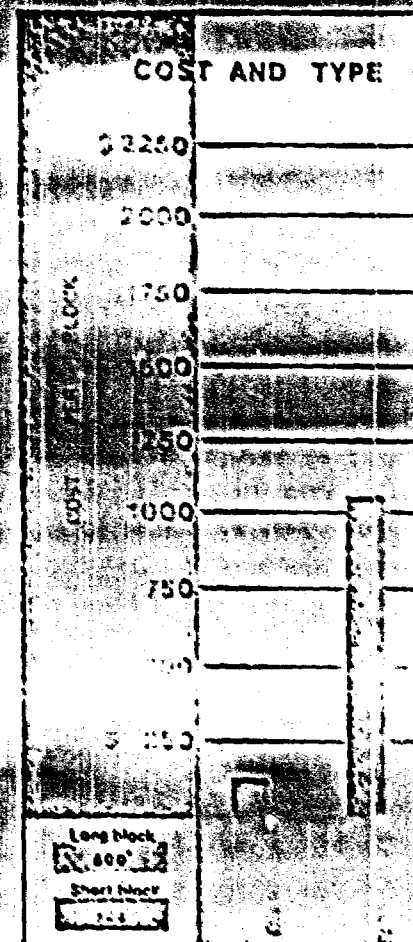
On-Street Bike Lanes		
MATERIAL		COST
Signs — 24" x 24" reflective base	\$	7.50/each
Sign installation	\$	14.50/sign
Paint — 5" yellow stripe 8 feet from and parallel to curb	\$	0.025/linear ft.
Cross stripe at intersection 12" x 36", 5 stripes	\$	13.68/intersect.
Street message — two per block	\$	14.00/block
Short block — 266 ft. stripe, two street messages, two signs and installation, 60 ft.		

Sidewalk Bike Lanes		
MATERIAL		COST
Signs — two per block	\$	7.50/each
Sign installation	\$	14.50/sign
Paint — Intersection cross stripe	\$	13.68/intersect.
Street message	\$	7.00/intersect.
Curb cut — two per block (estimated for a 5' sidewalk)	\$	968.00/block
Sidewalk repair	\$	5.00/linear ft.
Addition to sidewalk width (3')	\$	2.70/linear ft.
Short block — two signs and installation, one street message, two curb cuts, intersection cross stripe		\$1037/block
Long block — two signs, one street message, two curb cuts, intersection cross stripe		\$1037/block

Parkway Bike Lanes		
MATERIAL		COST
Signs — two per block	\$	7.50/each
Sign installation	\$	19.50/sign
Paint — Intersection cross stripe	\$	13.68/intersect.
Street message	\$	14.00/intersect.
Curb cut — two per block (estimated for a 5' sidewalk)	\$	968.00/block
Asphalt — 8' strip	\$	2.50/linear ft.
Short block — two signs and installation, 266 ft. of asphalt, two street messages, two curb-cuts, intersection cross stripe		\$1576/block
Long block — 600 ft. of asphalt, two signs and installation, two street messages, two curb-cuts, intersection cross stripe		\$2244/block

The cost for each of categories of bicycle route the following bar graph.

FIGURE 5



BIKEWAY DESIGN
CONSIDERATION AND S

**MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE**

March 11, 1975

The twentieth meeting of the Highways and Transportation Committee was called to order by Chairman Manning on the above date in Room 404 of the State Capitol Building at 9:30 a.m.

ROLL CALL: All members were present.

CONSIDERATION OF HB 304: Requiring bicyclists to ride single file.

Representative Bob Finley, author, said this bill requires that bicyclists ride single file upon roadways that are not set aside exclusively for bicycle use. The only exception would be when they are passing another bicyclist.

After discussion, Senator Smith moved HB 304 BE CONCURRED IN. Senator Conover seconded the motion. Motion carried unanimously.

CONSIDERATION OF HB 305: Requiring reflectors and flags on bicycles.

Representative Bob Finley, author, said under the new standard for bike safety, they are requesting in this bill that a six foot high waving flag be put on the back of the bike. They were going to make this mandatory, but found there was too many problems with vandalism, etc., and therefore amended the bill to encourage this practice. He said the remainder of the safety features in the bill are standard safety requirements for bicycles in the United States.

John K. Anderson said he was opposed to this bill, as he did not see how they proposed to enforce it.

Rep. Finley said bikes are currently under the same jurisdiction as automobiles.

Mark Calbrick, representing a bike shop in Great Falls, said he is opposed to using spoke reflectors, since the only time they are visible is when the bike is directly in front of you. He said they have now come out with a reflector tire, which can be seen much better. He noted that New York has a state law that these tires must be used. He said further, the spoke reflector causes the wheels to be imbalanced.

Rep. Finley replied that he has heard this same complaint through a bike dealer in Kalispell. However, until this bike reflector tire becomes standard, they feel they should make them optional.

1 HOUSE BILL NO. 304

2 INTRODUCED BY FINLEY, R. BAETH, W. BAETH, SLOAN

3
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REFERENCE BILL

HB 304